

JOINT
PUBLIC NOTICE

CHARLESTON DISTRICT, CORPS OF ENGINEERS
69A Hagood Avenue
Charleston, South Carolina 29403-5107
and the
S.C. DEPARTMENT OF HEALTH AND ENVIRONMENTAL CONTROL
OFFICE OF OCEAN AND COASTAL RESOURCE MANAGEMENT
1362 McMillan Avenue, Suite 400
Charleston, South Carolina 29405

REGULATORY DIVISION
Refer to: P/N #2005-1E-146-P

13 May 2005

Pursuant to Section 10 of the Rivers and Harbors Act of 1899 (33 U.S.C. 403), Section 401 of the Clean Water Act (33 U.S.C. 1344), and the South Carolina Coastal Zone Management Act (48-39-10 et.seq.), an application has been submitted to the Department of the Army and the S.C. Department of Health and Environmental Control by

BOBBY BELL
302 FEDERAL STREET
BEAUFORT, SOUTH CAROLINA 29902

for a permit to enlarge an existing pier structure in

LUCY CREEK

at 166 Alston Road, Sams Point, Lady's Island, Beaufort County, South Carolina.
(Latitude – 32.48576, Longitude – 80.59997)

In order to give all interested parties an opportunity to express their views

NOTICE

is hereby given that written statements regarding the proposed work will be received by both of the above mentioned offices until

12 O'CLOCK NOON, TUESDAY, 31 MAY 2005

from those interested in the activity and whose interests may be affected by the proposed work.

The proposed work consists of widening an existing 5' x 220' walkway to a 10' x 220' walkway, with curbing, and reconfiguring and enlarging the existing 10' x 37' fixed pierhead to a 24' x 24' fixed pierhead. In addition, the applicant also proposes to install a 7' x 10' platform behind the fixed pierhead on the upstream side to accommodate a 4' x 24' ramp which will lead to a 10' x 40' floating dock. The applicant's agent has indicated that the proposed structure will not extend any further channelward than the existing structure. The purpose of this work is to provide service for water dependent vessels, access for loading and unloading cargo, and tie-up space for tug boats and barges.

NOTE: A similar project was previously permitted by DA Permit #96-1B-039; however, the work was never performed and the permit expired.

NOTE: Plans depicting the work described in this notice are available and will be provided, upon receipt of a written request, to anyone that is interested in obtaining a copy of the plans for the specific project. The request must identify the project of interest by public notice number and a self-addressed stamped envelope must also be provided for mailing the drawings to you. Your request for drawings should be addressed to the

**U.S. Army Corps of Engineers
ATTN: REGULATORY DIVISION
69A Hagood Avenue
Charleston, South Carolina 29403-5107**

The District Engineer has concluded that the discharges associated with this project, both direct and indirect, should be reviewed by the South Carolina Department of Health and Environmental Control in accordance with provisions of Section 401 of the Clean Water Act. As such, this notice constitutes a request, on behalf of the applicant, for certification that this project will comply with applicable effluent limitations and water quality standards. The work shown on this application must also be certified as consistent with applicable provisions the Coastal Zone Management Program (15 CFR 930). The District Engineer will not process this application to a conclusion until such certifications are received. The applicant is hereby advised that supplemental information may be required by the State to facilitate the review.

This notice initiates the Essential Fish Habitat (EFH) consultation requirements of the Magnuson-Stevens Fishery Conservation and Management Act. Implementation of the proposed project would impact estuarine substrates and emergent wetlands utilized by various life stages of species comprising the red drum, shrimp, and snapper-grouper management complexes. Our initial determination is that the proposed action would not have a substantial individual or cumulative adverse impact on EFH or fisheries managed by the South Atlantic Fishery Management Council and the National Marine Fisheries Service (NMFS). Our final determination relative to project impacts and the need for mitigation measures is subject to review by and coordination with the NMFS.

The District Engineer has consulted the most recently available information and has determined that the project will have no effect on any Federally endangered, threatened, or proposed species and will not result in the destruction or adverse modification of designated or proposed critical habitat. This public notice serves as a request to the U.S. Fish and Wildlife Service and the National Marine Fisheries Service for any additional information they may have on whether any listed or proposed endangered or threatened species or designated or proposed critical habitat may be present in the area which would be affected by the activity, pursuant to Section 7(c) of the Endangered Species Act of 1973 (as amended).

The District Engineer has consulted the latest published version of the National Register of Historic Places for the presence or absence of registered properties, or properties listed as being eligible for inclusion therein, and this worksite is not included as a registered property or property listed as being eligible for inclusion in the Register. Consultation of the National Register constitutes the extent of cultural resource investigations by the District Engineer, and he is otherwise unaware of the presence of such resources. Presently unknown archaeological, scientific, prehistorical, or historical data may be lost or destroyed by the work to be accomplished under the requested permit.

13 May 2005

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for a public hearing shall state, with particularity, the reasons for holding a public hearing.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the project must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the project will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production and, in general, the needs and welfare of the people. A permit will be granted unless the District Engineer determines that it would be contrary to the public interest. In cases of conflicting property rights, the Corps of Engineers cannot undertake to adjudicate rival claims.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this project. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the activity.

If there are any questions concerning this public notice, please contact me at 843-329-8044 or toll free at 1-866-329-8187.

A handwritten signature in black ink, appearing to read "Jackie Easterling", with a long, sweeping horizontal line extending to the right.

Jackie Easterling
Project Manager
Regulatory Division
U.S. Army Corps of Engineers

HOSPITALS
 Beaufort Memorial Hospital
 Beaufort Naval Hospital
 Hilton Head Hospital

522-5200
 525-5600
 681-6122

BEAUFORT COUNTY HIGH SCHOOLS

Battery Creek
 Beaufort
 Hilton Head

525-4220
 322-2000
 689-7550

COLLEGES

Limestone College Block Program
 Park College
 Technical College of The Lowcountry
 University of South Carolina at Beaufort
 Webster University

489-7151
 522-9362
 525-8330
 521-4100
 524-1902

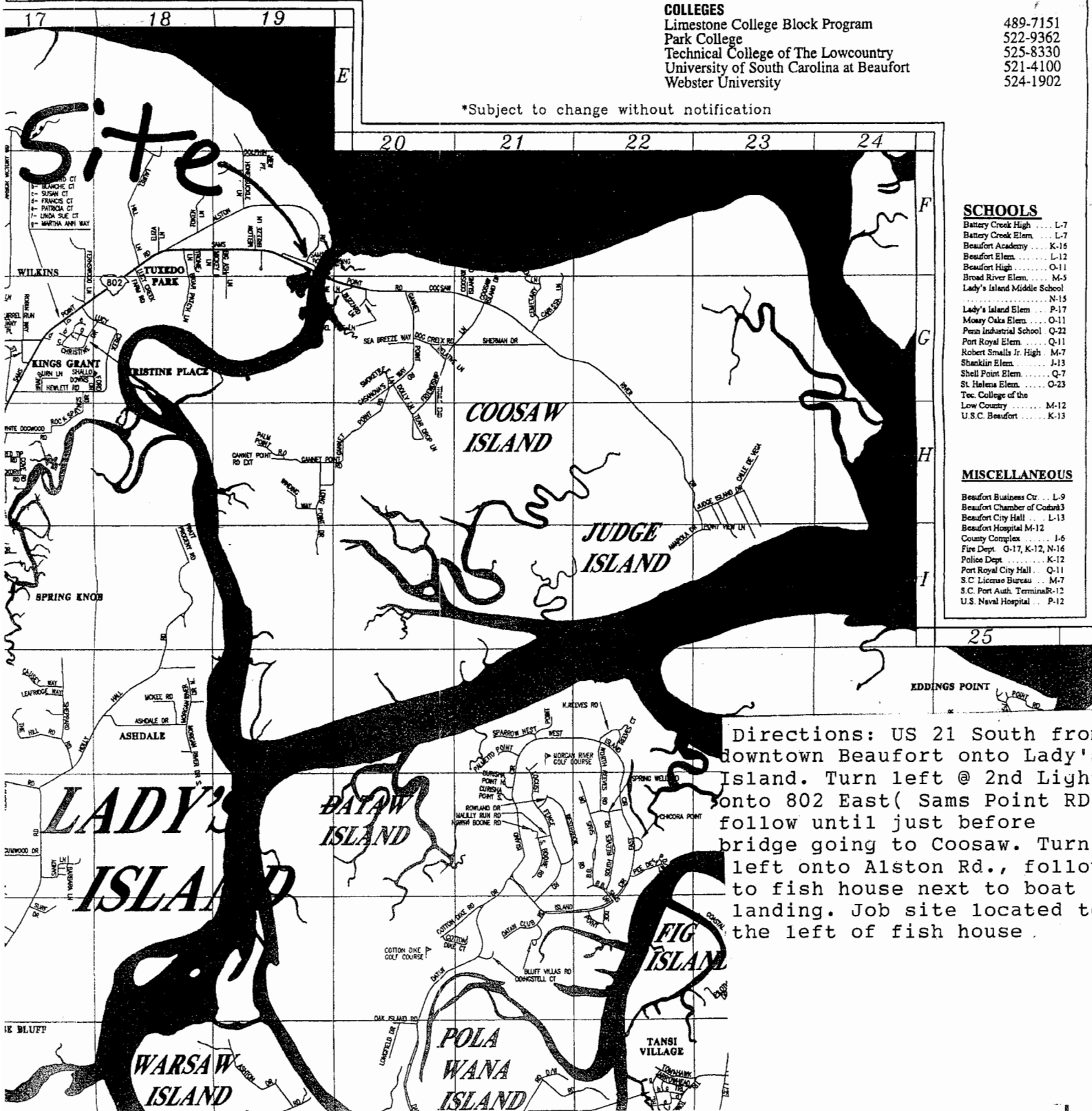
*Subject to change without notification

SCHOOLS

Battery Creek High L-7
 Battery Creek Elem L-7
 Beaufort Academy K-16
 Beaufort Elem L-12
 Beaufort High O-11
 Broad River Elem M-5
 Lady's Island Middle School N-15
 Lady's Island Elem P-17
 Mossy Oaks Elem O-11
 Penn Industrial School Q-22
 Port Royal Elem Q-11
 Robert Smalls Jr. High M-7
 Shanklin Elem J-13
 Shell Point Elem Q-7
 St. Helena Elem O-23
 Tec. College of the Low Country M-12
 U.S.C. Beaufort K-13

MISCELLANEOUS

Beaufort Business Ctr L-9
 Beaufort Chamber of Comm K-13
 Beaufort City Hall L-13
 Beaufort Hospital M-12
 County Complex J-6
 Fire Dept. G-17, K-12, N-16
 Police Dept. K-12
 Port Royal City Hall Q-11
 S.C. License Bureau M-7
 S.C. Port Auth. Terminal R-12
 U.S. Naval Hospital P-12



Directions: US 21 South from downtown Beaufort onto Lady's Island. Turn left @ 2nd Light onto 802 East (Sams Point Rd) follow until just before bridge going to Coosaw. Turn left onto Alston Rd., follow to fish house next to boat landing. Job site located to the left of fish house.

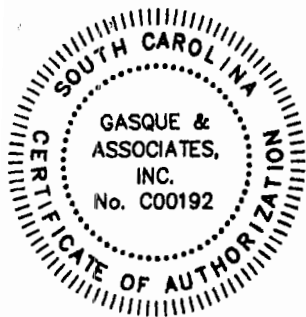
APPLICANT: Bobby Bell
 Commercial Use Dock
ACTIVITY:

P/N # 2005-IE-146

LOCATION:
 166 Alston Rd, Sams Point
 Lady's Island
COUNTY: Beaufort
DATE: 4/20/05

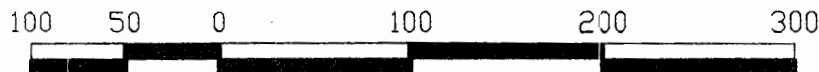
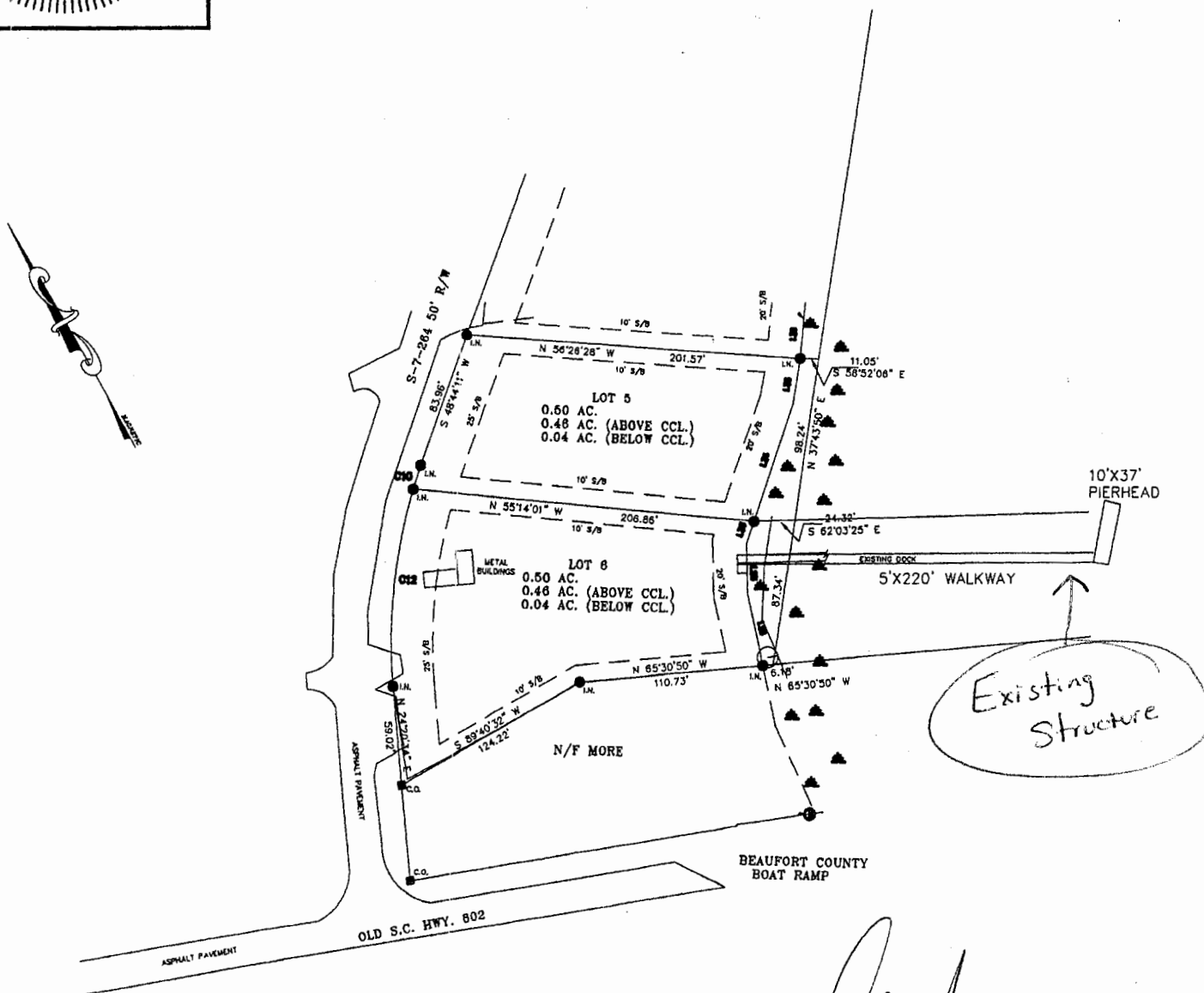
ADJACENT PROPERTY OWNERS:
 1. Robert J. Gault
 2. County of Beaufort

Sheet 1 of 4



GASQUE & ASSOCIATES INC.
LAND SURVEYORS & PLANNERS

28 PROFESSIONAL VILLAGE CIRCLE, BEAUFORT, S.C.
P.O. BOX 1363, BEAUFORT, S.C.
PHONE (843) 522-1798



SCALE: 1"=100' SCALE IN FEET DATE: 4/8/05

DAVID E. GASQUE, R.L.S. JOB # 27701
S.C. REGISTRATION NUMBER 10506 FB#NA/A.E. DSGN#3
THIS PLAT IS NOT BINDING UNLESS ACCOMPANIED BY
AN ORIGINAL SIGNATURE AND AN EMBOSSED SEAL.

APPLICANT: Bobby Bell
ACTIVITY: Commercial use Dock

LOCATION: 166 Alston Rd
Sams Point, Lady's Island

County: Beaufort
Date: 04/25/05

ADJACENT PROPERTY OWNERS:
1. Robert J. Gault
2. County of Beaufort

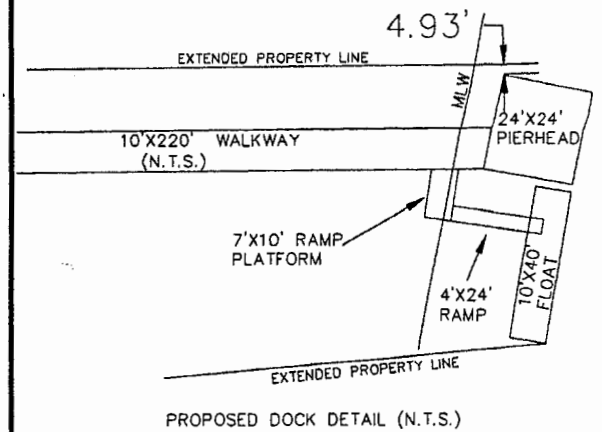
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Sheet 2 of 4

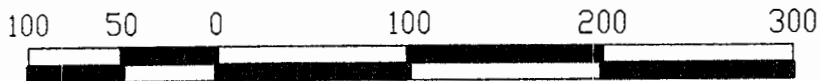
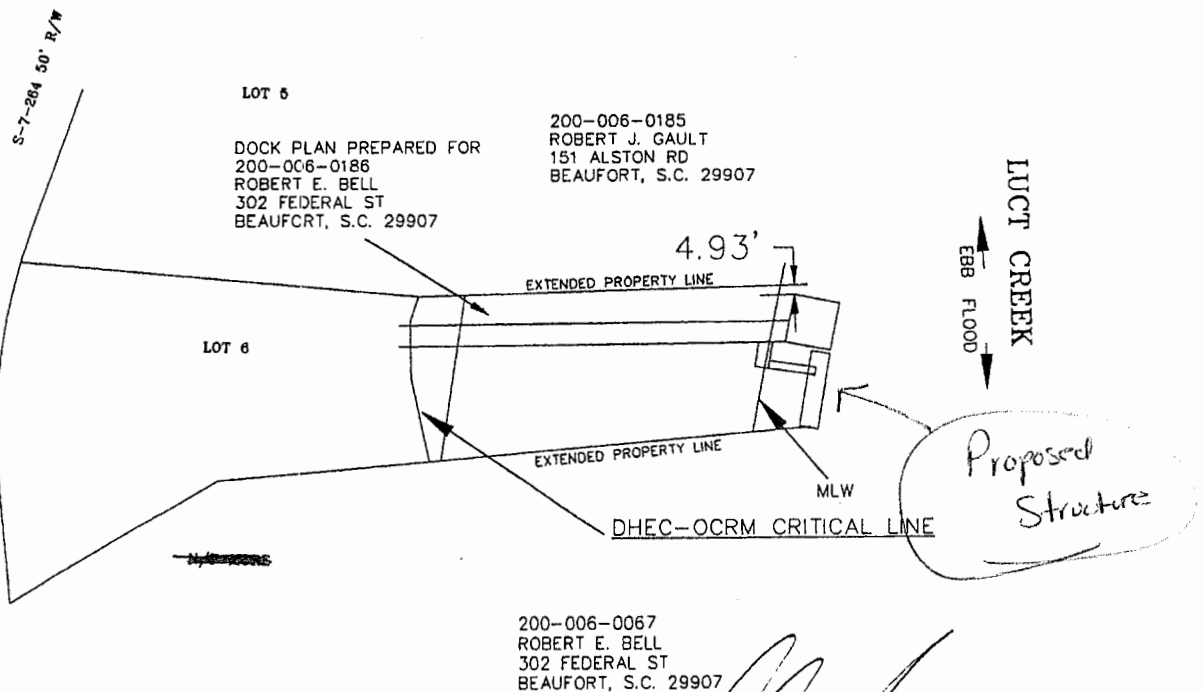


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NOTE;
DISTANCES AND PLACEMENT OF DOCKS
MUST BE VERIFIED BY CONTRACTOR



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APPLICANT: Bobby Bell
ACTIVITY: Commercial Use Dock

LOCATION: 166 Alston Rd
Sams Point, Lady's Island
County: Beaufort
Date: 04/25/05

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2. County of Beaufort

2005-IE-146

Sheet 3 of 4

Edge of MARSH GRASS

51'

7'x10' Ramp Access Platform

24'x24' Pierhead

10'x220'

24'

MHW

MLW

16'x40' Float

Critical Line Area

APPLICANT: Bobby Bell

ACTIVITY: Commercial Use Dock

P/N # 2006-IE-1416

LOCATION: 166 Alston Rd.

Sam's Point, Lady's Island

COUNTY: Beaufort

DATE: 04/25/05

ADJACENT PROPERTY OWNERS:

1. Robert J. Gault
2. County of Beaufort

Sheet 4 of 4